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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,799	02/16/2001	David Anson	60001.0041US01/MS# 155655	5553
27488	7590	10/09/2003	EXAMINER	
MERCHANT & GOULD P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			TRINH, TAN H	
			ART UNIT	PAPER NUMBER
			2684	
			DATE MAILED: 10/09/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/785,799

Applicant(s)

ANSON ET AL.

Examiner

TAN TRINH

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-17 is/are allowed.
- 6) ☒ Claim(s) 1,2,6,7,11,18 and 19 is/are rejected.
- 7) ☒ Claim(s) 3-5, 8-10 and 20-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 05-21-2001, on pager 6 has been received and placed of record in the file.

The information disclosure statement filed 05-21-2001, on pager 3 has not received. Need resend.

Allowable Subject Matter

1. Claims 12-17 are allowed.
2. Claims 3-5, 8-10, 20-24, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reasons for allowance

3. The following is a statement of reasons for the indication of allowable subject matter:
The references of Boss (U.S. Patent No. 6,157,618), Ishikawa (U.S. Pub No. 2030017855), Stille (U.S. Patent No. 5,878,397) and the prior art of record fails to teach, the steps in response to a clock set trigger, attaching a status report request to an SMS message; and transmitting the short message to initiate the transmission of the status report, as cited in claim 3.

In addition, the prior art of record fails to teach, the clock for a cellular device, comprising: a current device time for maintaining a current time for the cellular device; a device time difference for maintaining a time difference between the current device time and a world time; and a corrected device time for maintaining the sum of the device time difference and the current device time; wherein the current device time is set equal to the corrected device time, in response to the receipt of the world time; and wherein the world time is received in a status

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report received by the cellular device, as cited in claims 8, 12 and 20. And the prior art of record fails to teach wherein the device time error is set equal to a time difference between the device time corresponding to sending a status report request and a device time corresponding to receiving the status report, as cited in claim 23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Boss (U.S. Patent No. 6,157,618).

Regarding claim 1, Boss teaches the method for setting a correct time comprising: receiving a status report (see events report, col. 12, line 45); determining a world time from the status report (see Greenwich time, col. 12, lines 46-48); and setting a current device time in accordance with the world time (see col. 12, lines 49-51).

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Regarding claim 2, Boss teaches the computer readable medium having stored thereon computer-executable instructions for performing (see col. 2, lines 45-52 and col. 3, lines 39-46).

6. Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Ishikawa (U.S. Pub No. 2030017855).

Regarding claim 18, teaches the cellular telephone comprising: a clock operative to provide a displayed time (see fig. 7, display time 11:15AM); and a radio architecture component operative to receive a status report (see figs. 4 and 7, page 2, session [0027] lines 6-11); wherein the displayed time is set, in response to a receipt of the status report (see fig. 4, items 410 and 412, page 3, session [0030] lines 5-12).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boss (U.S. Patent No. 6,157,618) in view of Stille (U.S. Patent No. 5,878,397).

Regarding claim 6. Boss teaches the status report, is generated by the UserMon system or server (see col. 12, lines 45-51). But Boss fails to teach the status report is generated by a Short Messaging Service Center.

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However, Stille teaches the status report is generated by a Short Messaging Service Center (see fig. 4A on service center time stamp identifier and col. 10, lines 1-9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Boss system and by the providing of the teaching of Stille to have the status report is generated by a Short Messaging Service Center, thereto in order to provide user the confirm message is easier.

Regarding claim 7. Boss teaches the Greenwich (GMT) time maintains in the UserMon system (see col. 12, lines 49-51). This is obvious to the Short Messaging Service Center maintains a world time register.

9. Claims 11, 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boss (U.S. Patent No. 6,157,618) in view of Ishikawa (U.S. Pub No. 2030017855).

Regarding claim 11. Boss fails to teach the displaying the current time as a display time.

However, Ishikawa teach the displaying the current time as a display time (see fig. 7, 11:15AM, and page 2, session [0027] lines 6-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Boss system and by the providing of the teaching of Ishikawa on the displaying the current time so that user can watch the time easier.

Regarding claim 19, Ishikawa fails to teach the world time.

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However, Boss teaches the status report comprises a world time (see col. 12, lines 44-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Ishikawa on display and Boss providing of the teaching of the world time converted so that user can be watch many time zone.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gustafsson (U.S. Patent No. 6,424,841) discloses short message service with improved utilization of available bandwidth.

Hamada (U.S. Patent No. 6,097,304) discloses message processing method and apparatus therefor.

Havinis (U.S. Pub No. 20020077116) discloses system and method for reporting the number and/or duration of positing requests for terminal-based location calculation.

11. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

*Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Trinh whose telephone number is (703) 305-5622. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (703) 308-7745.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

Tan H. Trinh
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September 25, 2003

